



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,738	02/02/2001	Naoya Suzuki	450100-02987	8736

20999 7590 07/21/2003

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

HARRY, ANDREW T

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 07/21/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/775,738

Applicant(s)

SUZUKI, NAOYA

Examiner

Andrew T Harry

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by *Chinnaswami* U.S. Patent 6,449,475 (“*Swami*”).**

As pertaining to **claim 1**, *Swami* teaches an information processing system comprising:  
a telephone set which transmits a caller number specific to a caller which is added to an incoming signal arriving at itself (see *Swami*, col. 3, lines 15-47, *Swami* describes that the incoming caller ID is taken and transmitted to the “phonebook matching software”);  
an information processing apparatus which receives said caller number transmitted by said telephone set, reads personal information on said caller associated with said caller number from a storage means, and displays the information. See *Swami*, col. 4, line 23-col. 5, line 10, and Fig. 2. *Swami* teaches that the name and number of the incoming call is displayed, or if the call is restricted then that result is displayed. *Swami* also teaches that all of this information is retrieved from the “electronic phone book” or storage area of the mechanism. See *Swami*, Fig. 1.

As pertaining to **claims 3-6, and 13-14**, *Swami* teaches telephone set, information processing apparatus, and storage medium that causes an information processing apparatus to execute a program (see *Swami*, col. 4, line 23-col. 5, line 10, and Fig. 2) comprising:

Art Unit: 2686

a receiving and detecting means for receiving and detecting a caller number specific to a caller which is added to an incoming signal arriving at a telephone set from the telephone set (see *Swami*, col. 4, lines 33-50);

transmitting said caller number to an information processing apparatus (see *Swami*, col. 4, line 23-col. 5, line 10, and Fig. 2); and

storage and transmitting means for storing and transmitting personal information on said caller associated with said caller number (see *Swami*, col. 5 lines 5-10); and

reading and display means for reading transmitted said personal information associated with said caller number from said storage means and displaying the personal information. See *Swami*, col. 4, lines 51-65.

As pertaining to **claim 7**, *Swami* teaches that his system comprises a wireless telephone communication means for receiving an incoming signal transmitted from a wireless telephone network. See *Swami*, col. 2 lines 46-65.

As pertaining to **claim 12**, in *Swami's* system a conversation with a caller is made possible after said transmitting means had transmitted said caller number. See *Swami*, col. 4 lines 12-33. Clearly since *Swami's* teachings are being associated with incoming calls in a cellular phone network then the user of the device is capable of answering these calls.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Swami*.**

As pertaining to claims 2 and 8-11, *Swami* teaches that said transmitting means transmits said caller number via a predetermined wireline interface with when that communication is available in the information processing apparatus. See *Swami*, col. 4, line 23-col. 5, line 10, and Fig. 2. However, *Swami* is silent regarding the usage of a "short-range" communications to form this link. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a "short-range" wireless communications means to facilitate the link between the information processing apparatus and the telephone set. It was well known in the art at the time of the invention that a "short range" wireless link could easily have replaced the short, wired link between the two portions of the invention. This would have allowed the information processing means to be located outside the device and allow the device to be operated without all of the processing means aboard the actual device. It also would have allowed the processing and phonebook means to be available to other users of wireless devices in the immediate area. The implementation of a "wired" link versus a "wireless" link does not make the instant invention novel over the prior art made of record, primarily *Swami*.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B. Cannon et al, U.S. Patent 6,353,664 teaches caller ID equipment which displays location of a caller.

C. Abu-Shukhaidem et al., U.S. Patent 6,324,272 teaches telecommunication calling party number determination and manipulation.

D. Skarbo et al., U.S. Patent 5,546,447 teaches displaying caller identification information in a computer system.

E. Maier et al., U.S. Patent 6,137,871 teaches a telecommunication device with caller identification.

F. Weiss, U.S. Patent 6,553,222 teaches a method and system facilitating automatic address book entries with caller specific voice identifiers and call notification.

G. Rhodes, U.S. Patent 6,343,120 teaches a method and apparatus for providing a caller ID alias.

H. Rahrer et al., U.S. Patent 6,005,927 teaches a telephone directory apparatus and method.

Art Unit: 2686

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Harry whose telephone number is 703-305-4749. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ATH  
July 11, 2003

*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600